

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF VIRGINIA
Lynchburg Division

CAMERON M. JACKSON,

Plaintiff,

v.

LIBERTY UNIVERSITY, *et al.*,

Defendants.

Civil Action No.: 6:17cv00041-NKM

DEFENDANT SARAH BROWNING'S ANSWER

Defendant Sarah Browning (“Browning”), by counsel, hereby states the following as and for her Answer to the Complaint filed herein by Plaintiff Cameron M. Jackson (“Plaintiff”):

The Parties

1. Browning admits that Plaintiff was a student at Liberty University and a member of its football team, during most of the events described in the Complaint. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1, and therefore denies them.

2. Upon information and belief, Browning admits the allegations in Paragraph 2.

3. Robert Mullin has been dismissed from this case. To the extent further response is required, Browning denies the allegations in Paragraph 3.

4. Valerie Dufort has been dismissed from this case. To the extent further response is required, Browning denies the allegations in Paragraph 4.

5. Jonathan Ignacio has been dismissed from this case. To the extent further response is required, Browning denies the allegations in Paragraph 5.

6. Elysa Bucci has been dismissed from this case. To the extent further response is

required, Browning denies the allegations in Paragraph 6.

7. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 7, and therefore denies them.

8. Browning admits the allegations in Paragraph 8.

The Jurisdiction

9. The allegations in Paragraph 9 are legal conclusions that Browning is not required to admit or deny.

10. The allegations in Paragraph 10 are legal conclusions that Browning is not required to admit or deny.

11. The allegations in Paragraph 11 are legal conclusions that Browning is not required to admit or deny.

The Venue

12. The allegations in Paragraph 12 are legal conclusions that Browning is not required to admit or deny.

The Nature of the Action

13. Browning admits that the Complaint filed in this matter purports to set forth claims regarding a complaint made by Browning and Liberty University's response thereto. Browning states that the allegations set forth in the Complaint speak for themselves and denies all allegations in Paragraph 13 inconsistent therewith. Browning denies that she engaged in any malicious conduct, and denies any liability to Plaintiff under the claims alleged.

14. Browning admits that she made allegations of non-consensual sexual activity against the Plaintiff and several of his teammates on the Liberty University football team, and avers that the allegations are true. Browning denies the remaining allegations in Paragraph 14.

15. Browning admits that she complained to Liberty University officials about multiple acts of non-consensual sex that occurred off-campus in August 2015. Browning denies the remaining allegations in Paragraph 15.

16. Browning admits that on or about July 13, 2016, she reported non-consensual sexual activity by the Plaintiff to the Liberty University Office of Community Life. Browning denies the remaining allegations in Paragraph 16.

17. Browning denies the allegations in Paragraph 17, and avers that she left Liberty University voluntarily and was not administratively removed or withdrawn.

18. Browning denies the allegations in Paragraph 18.

19. Upon information and belief, Browning admits that Liberty University reported her allegations of non-consensual sexual activity to local law enforcement. Browning further admits that Liberty University initiated a Title IX investigation. Browning denies the remaining allegations in Paragraph 19.

20. Upon information and belief, Browning admits the allegations of Paragraph 20.

21. Browning admits that the Liberty University Conduct Review Committee met on September 8, 2016, and found Plaintiff responsible for Sexual Assault. Browning further admits that Plaintiff appealed this finding. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 21, and therefore denies them.

22. In response to the allegations in Paragraph 22, Browning states that the press release identified by Plaintiff speaks for itself, and denies any allegations by Plaintiff that are inconsistent therewith. Browning denies the remaining allegations in Paragraph 22.

23. Browning states that she does not have knowledge or information sufficient to

form a belief as to the truth of the allegations in Paragraph 23, and therefore denies them.

24. Browning denies the allegations in Paragraph 24.

25. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 25, and therefore denies them.

26. Browning admits there was an appeal held on October 3, 2016. Browning denies the remaining allegations in Paragraph 26.

27. Upon information and belief, Browning admits that Liberty University notified the Plaintiff that the Board upheld the decision of the Conduct Review Committee. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 27, and therefore denies them.

28. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 28, and therefore denies them.

29. Browning denies the allegations in Paragraph 29.

30. Browning admits that Plaintiff purports to set forth claims for violation of Title IX of the Education Amendments of 1972, and state law. Browning denies that she violated any law or caused any injury to the Plaintiff. Browning denies the remaining allegations in Paragraph 30.

General Factual Allegations

31. Browning denies the allegations in Paragraph 31.

32. Browning denies the allegations in Paragraph 32.

33. Browning denies the allegations in Paragraph 33.

34. Browning denies the allegations in Paragraph 34.

35. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 35, and therefore denies them.

36. Browning denies the allegations of Paragraph 36.

37. Browning admits that in the early morning hours on or about August 23, 2015, Plaintiff was at a house party on Victoria Avenue in Lynchburg, Virginia. Browning denies the remaining allegations in Paragraph 37.

38. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 38, and therefore denies them.

39. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 39, and therefore denies them.

40. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 40, and therefore denies them.

41. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 41, and therefore denies them.

42. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 42, and therefore denies them.

43. Browning denies the allegations in Paragraph 43.

44. Browning admits that after she arrived at the party, Kyle Carrington (“Carrington”) pulled her into the backyard, and Plaintiff was already waiting there. Browning denies the remaining allegations in Paragraph 44.

45. Browning denies the allegations in Paragraph 45, and avers that she was forced to perform oral sex and sexual intercourse on Plaintiff and Carrington.

46. Browning denies the allegations in Paragraph 46.

47. Browning denies the allegations in Paragraph 47, and avers that she was not capable of consent.

48. Browning denies the allegations in Paragraph 48, and avers that she was forced to perform oral sex and sexual intercourse on Plaintiff and Carrington.

49. Browning denies the allegations in Paragraph 49.

50. Browning denies the allegations in Paragraph 50.

51. Browning denies the allegations in Paragraph 51.

52. Browning denies the allegations in Paragraph 52.

53. Browning denies the allegations in Paragraph 53, and avers that she was forced to touch Corbin's genitals.

54. Browning denies the allegations in Paragraph 54.

55. Browning denies the allegations in Paragraph 55

56. Upon information and belief, Browning admits the allegations of Paragraph 56.

57. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 57, and therefore denies them.

58. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 58, and therefore denies them.

59. Browning admits that an argument occurred between Liberty University football players T.J. Tillery ("Tillery") and Zac Parker ("Parker"). Browning denies the remaining allegations in Paragraph 59.

60. Browning denies the allegations in Paragraph 60.

61. Browning admits that she and Tillery were friends who also had an occasional, non-exclusive sexual relationship. Browning denies the remaining allegations in Paragraph 61.

62. Browning admits that Tillery tried to get her into his car to leave, and avers that she did not understand what was happening. Browning denies the remaining allegations in

Paragraph 62.

63. Browning admits that she did not leave with Tillery. Browning denies the remaining allegations in Paragraph 63.

64. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 64, and therefore denies them.

65. Browning denies the allegations in Paragraph 65.

66. Browning denies the allegations in Paragraph 66.

67. Browning denies the allegations in Paragraph 67.

68. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 68, and therefore denies them.

69. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 69, and therefore denies them.

70. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 70, and therefore denies them.

71. Browning denies the allegations in Paragraph 71.

72. Browning denies the allegations in Paragraph 72.

73. Browning denies the allegations in Paragraph 73, and avers that she did not consent and was not capable of consent to any of the sexual activity that occurred outside or inside that apartment.

74. Browning denies the allegations in Paragraph 74.

75. Browning denies the allegations in Paragraph 75, and avers that she did not consent and was not capable of consent to any of the sexual activity that occurred outside or inside that apartment.

76. Browning denies the allegations in Paragraph 76, and avers that she did not consent and was not capable of consent to any of the sexual activity that occurred outside or inside that apartment.

77. Browning denies the allegations in Paragraph 77, and avers that she did not consent and was not capable of consent to any of the sexual activity that occurred outside or inside that apartment.

78. Browning denies the allegations in Paragraph 78.

79. Browning denies the allegations in Paragraph 79.

80. Browning denies the allegations in Paragraph 80.

81. Browning denies the allegations in Paragraph 81, and avers that she never saw or spoke with Tegan Quinton (“Quinton”) at any time on the following day.

82. Browning denies the allegations in Paragraph 82, and avers that she never saw or spoke with Quinton at any time on the following day.

83. Browning denies the allegations in Paragraph 83, and avers that she never saw or spoke with Quinton at any time on the following day.

84. Browning denies the allegations in Paragraph 84, and avers that she never saw or spoke with Quinton at any time on the following day.

85. Browning admits that, approximately three (3) months after the incident of non-consensual sexual activity with Plaintiff, she engaged in consensual sexual activity with Plaintiff, and avers that it was an effort to take back control as a victim. Browning denies the remaining allegations in Paragraph 85.

86. Browning denies the allegations in Paragraph 86.

87. Browning denies the allegations in Paragraph 87.

88. Upon information and belief, Browning admits the allegations in Paragraph 88.

89. Browning admits there was a YikYak post around September 2015 that stated “a girl on the swim team was forced to give oral sex to 8 football players recently it was just confirmed.” Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 89, and therefore denies them.

90. Browning admits there was a YikYak post around September 2015 that stated “a girl on the swim team was forced to give oral sex to 8 football players recently it was just confirmed.” Browning denies the remaining allegations in Paragraph 90.

91. Browning admits that Liberty University looked into the allegations made in this YikYak post. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 91, and therefore denies them.

92. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 92, and therefore denies them.

93. Browning admits that she was questioned by Liberty University officials about the YikYak post. Browning denies the remaining allegations in Paragraph 93.

94. The *Liberty Way*, which is attached as Exhibit A to the Complaint, speaks for itself, and to the extent the allegations in Paragraph 94 differ from the document, they are denied.

95. The *Liberty Way*, which is attached as Exhibit A to the Complaint, speaks for itself, and to the extent the allegations in Paragraph 95 differ from the document, they are denied.

96. Browning denies the allegations in Paragraph 96.

97. Browning denies the allegations in Paragraph 97.

98. Browning admits she previously denied the allegations in the YikYak post, and

avers that she did so because she feared getting in trouble, including possibly being kicked off the University's Swimming and Diving Team, and possible and/or additional retaliation from members of the Liberty University football team. Browning denies the remaining allegations in Paragraph 98.

99. Browning admits that after she met with Liberty University personnel about the YikYak post, she participated in one additional sexual interaction with Plaintiff, and one additional sexual interaction with Carrington. Browning denies the remaining allegations in Paragraph 99.

100. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 100, and therefore denies them.

101. The *Liberty Way*, which is attached as Exhibit A to the Complaint, speaks for itself, and to the extent the allegations in Paragraph 101 differ from the document, they are denied.

102. Browning denies the allegations in Paragraph 102.

103. Browning denies the allegations in Paragraph 103.

104. Browning admits that in the spring 2016, she failed a drug test administered by her Liberty University Swimming coach for marijuana, and was removed from the University's Swimming and Diving Team. Browning denies the remaining allegations in Paragraph 104.

105. Browning denies the allegations in Paragraph 105.

106. Browning denies the allegations in Paragraph 106, and avers that she left the Liberty University campus voluntarily on May 10, 2016, and was not administratively removed or withdrawn.

107. Browning admits that, after leaving Liberty University voluntarily, she returned

home to Mechanicsville, VA. Browning further admits that she continued to communicate with a number of Liberty University students. Browning denies the remaining allegations in Paragraph 107.

108. Browning denies the allegations in Paragraph 108.

109. Browning denies the allegations in Paragraph 109.

110. Browning admits that on or about July 13, 2016, she reported non-consensual sexual activity by the Plaintiff to the Liberty University Office of Community Life. Browning denies the remaining allegations in Paragraph 110.

111. Browning denies the allegations in Paragraph 111.

112. Browning admits that she reported the non-consensual sexual assault by Plaintiff and others to Liberty University, and that certain government agencies or offices contacted her thereafter. Browning denies the remaining allegations in Paragraph 112.

113. Browning denies the allegations in Paragraph 113.

114. Browning denies the allegations in Paragraph 114.

115. Browning denies the allegations in Paragraph 115.

116. Browning denies the allegations in Paragraph 116.

117. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 117, and therefore denies them.

118. Browning denies the explanation alleged in Paragraph 118. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 118, and therefore denies them.

119. The *Liberty Way* and the Policies attached as Exhibits A-C to the Complaint, speak for themselves, and to the extent the allegations in Paragraph 101 differ from the

documents, they are denied.

120. Browning denies the allegations in Paragraph 120.

121. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 121, and therefore denies them.

122. Browning denies the allegations in Paragraph 122.

123. Browning denies the allegations in Paragraph 123, and avers that she did not fabricate her report of sexual assault against the Plaintiff and others.

124. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 124, and therefore denies them.

125. Browning denies the allegations in Paragraph 125, and avers that she did not fabricate her report of sexual assault against the Plaintiff and others.

126. The Policies, attached as Exhibits B-C to the Complaint, speak for themselves, and to the extent the allegations in Paragraph 126 differ from the documents, they are denied.

127. The Policies, attached as Exhibits B-C to the Complaint, speak for themselves, and to the extent the allegations in Paragraph 127 differ from the documents, they are denied.

128. The Policies, attached as Exhibits B-C to the Complaint, speak for themselves, and to the extent the allegations in Paragraph 128 differ from the documents, they are denied.

129. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 129, and therefore denies them.

130. The Policies, attached as Exhibits B-C to the Complaint, speak for themselves, and to the extent the allegations in Paragraph 130 differ from the documents, they are denied.

131. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 131, and therefore denies them.

132. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 132, and therefore denies them.

133. Upon information and belief, Browning admits that the Conduct Review Committee met on September 8, 2016. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 133, and therefore denies them.

134. Browning denies ever reporting to Liberty University officials that eight (8) men were involved in her sexual assault. Browning admits that she named Plaintiff, Carrington and Avery James ("James") in her report of sexual assault to Liberty University officials. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 134, and therefore denies them.

135. Browning denies the allegations in Paragraph 135.

136. The Policies, attached as Exhibits B-C to the Complaint, speak for themselves, and to the extent the allegations in Paragraph 136 differ from the documents, they are denied.

137. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 137, and therefore denies them.

138. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 138, and therefore denies them.

139. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 139, and therefore denies them.

140. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 140, and therefore denies them.

141. Browning states that she does not have knowledge or information sufficient to

form a belief as to the truth of the allegations in Paragraph 141, and therefore denies them.

Browning avers that she was notified by Liberty University personnel on or about September 12, 2016, that the Conduct Review Committee found Plaintiff committed Non-Consensual Sexual Intercourse/Non-Consensual Sexual Contact.

142. The Policies, attached as Exhibits B-C to the Complaint, speak for themselves, and to the extent the allegations in Paragraph 142 differ from the documents, they are denied.

143. Browning admits that, as a result of his violation, Plaintiff was administratively withdrawn from Liberty University for two semesters, along with additional sanctions.

Browning denies the remaining allegations in Paragraph 143.

144. Browning admits that Plaintiff appealed the Conduct Review Committee's decision. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 144, and therefore denies them.

145. The Policies, attached as Exhibits B-C to the Complaint, speak for themselves, and to the extent the allegations in Paragraph 145 differ from the documents, they are denied.

146. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 146, and therefore denies them.

147. The Policies, attached as Exhibits B-C to the Complaint, speak for themselves, and to the extent the allegations in Paragraph 147 differ from the documents, they are denied.

148. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 148, and therefore denies them.

149. The Policies, attached as Exhibits B-C to the Complaint, speak for themselves, and to the extent the allegations in Paragraph 149 differ from the documents, they are denied.

150. The Press Release, attached as Exhibit D to the Complaint, speaks for itself, and

to the extent the allegations in Paragraph 150 differ from the document, they are denied.

Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 150, and therefore denies them.

151. The Press Release, attached as Exhibit D to the Complaint, speaks for itself, and to the extent the allegations in Paragraph 151 differ from the document, they are denied.

152. The Press Release, attached as Exhibit D to the Complaint, speaks for itself, and to the extent the allegations in Paragraph 152 differ from the document, they are denied.

153. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 153, and therefore denies them.

154. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 154, and therefore denies them.

155. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 155, and therefore denies them.

156. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 156, and therefore denies them.

157. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 157, and therefore denies them.

158. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 158, and therefore denies them.

159. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 159, and therefore denies them.

160. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 160, and therefore denies them.

161. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 161, and therefore denies them.

162. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 162, and therefore denies them.

163. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 163, and therefore denies them.

164. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 164, and therefore denies them.

165. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 165, and therefore denies them.

166. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 166, and therefore denies them.

167. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 167, and therefore denies them.

168. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 168, and therefore denies them.

169. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 169, and therefore denies them.

170. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 170, and therefore denies them.

171. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 171, and therefore denies them.

172. Browning denies the allegations in Paragraph 172.

173. Browning denies the allegations in Paragraph 173.

174. Browning denies the allegations in Paragraph 174.

175. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 175, and therefore denies them.

176. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 176, and therefore denies them.

177. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 177, and therefore denies them.

178. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 178, and therefore denies them.

179. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 179, and therefore denies them.

180. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 180, and therefore denies them.

181. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 181, and therefore denies them.

182. Browning denies the allegations in Paragraph 182.

183. Browning denies the allegations in Paragraph 183.

184. Browning denies the allegations in Paragraph 184.

185. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 185, and therefore denies them.

186. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 186, and therefore denies them.

187. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 187, and therefore denies them.

188. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 188, and therefore denies them.

189. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 189, and therefore denies them.

190. Browning denies the allegations in Paragraph 190.

191. Browning denies the allegations in Paragraph 191.

192. Browning denies the allegations in Paragraph 192.

193. Browning denies the allegations in Paragraph 193.

194. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 194, and therefore denies them.

195. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 195, and therefore denies them.

196. Upon information and belief, Browning admits the allegations in Paragraph 196.

197. Browning admits that Corbin Jackson testified at the appeal. Browning denies the remaining allegations in Paragraph 197.

198. Browning admits that Jordan Elliott testified at the appeal. Browning denies the remaining allegations in Paragraph 198.

199. Browning admits that Chris Turner testified at the appeal. Browning denies the remaining allegations in Paragraph 199.

200. Browning admits that Plaintiff testified at the appeal. Browning denies the remaining allegations in Paragraph 200.

201. Browning denies the allegations in Paragraph 201.
202. Browning denies the allegations in Paragraph 202.
203. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 203, and therefore denies them.
204. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 204, and therefore denies them.
205. Browning admits that, when initially confronted by Liberty University personnel about the YikYak post, she denied any involvement with the allegations in the YikYak post, and avers that she did so because she feared getting in trouble, including possibly being kicked off the University's Swimming and Diving Team, and feared possible and/or additional retaliation from members of the Liberty University football team.. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 205, and therefore denies them.
206. Browning denies the allegations in Paragraph 206.
207. The Policies, attached as Exhibits B-C to the Complaint, speak for themselves, and to the extent the allegations in Paragraph 207 differ from the documents, they are denied.
208. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 208, and therefore denies them.
209. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 209, and therefore denies them.
210. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 210, and therefore denies them.
211. Browning denies the allegations in Paragraph 211.

212. Browning denies the allegations in Paragraph 212, and objects to Plaintiff's attempt to present argument as fact.

213. Browning denies the allegations in Paragraph 213, and objects to Plaintiff's attempt to present argument as fact.

214. Browning denies the allegations in Paragraph 214.

215. Browning denies the allegations in Paragraph 215.

216. Browning denies the allegations in Paragraph 216.

217. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 217, and therefore denies them.

218. Browning denies the allegations in Paragraph 218, and objects to Plaintiff's attempt to present argument as fact.

219. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 219, and therefore denies them.

220. Browning denies the allegations in Paragraph 220.

221. Browning denies the allegations in Paragraph 221.

222. Browning denies the allegations in Paragraph 222.

223. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 223, and therefore denies them.

224. Browning admits that, while outside the party on Victoria Avenue, Mr. Parker asked Mr. Tillery, "Why are you always trying to save hoes?" Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 224, and therefore denies them.

225. Browning denies the allegations in Paragraph 225, and objects to Plaintiff's

attempt to present argument as fact.

226. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 226, and therefore denies them.

227. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 227, and therefore denies them.

228. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 228, and therefore denies them.

229. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 229, and therefore denies them.

230. The Policies, attached as Exhibits B-C to the Complaint, speak for themselves, and to the extent the allegations in Paragraph 230 differ from the documents, they are denied.

231. Browning denies the allegations in Paragraph 231.

232. Browning denies the allegations in Paragraph 232.

233. Browning denies the allegations in Paragraph 233.

234. Browning denies the allegations in Paragraph 234.

235. Browning denies the allegations in Paragraph 235.

236. Browning denies the allegations in Paragraph 236.

237. Browning denies the allegations in Paragraph 237, and objects to Plaintiff's attempt to present argument as fact.

238. Browning denies the allegations in Paragraph 238.

239. Browning denies the allegations in Paragraph 239.

240. Browning denies the allegations in Paragraph 240.

241. Browning denies the allegations in Paragraph 241.

242. Browning denies the allegations in Paragraph 242.
243. Browning denies the allegations in Paragraph 243.
244. Browning denies the allegations in Paragraph 244.
245. Browning denies the allegations in Paragraph 245, and objects to Plaintiff's attempt to present argument as fact.
246. Browning denies the allegations in Paragraph 246.
247. Browning restates and incorporates by reference her responses to the allegations contained in Paragraphs 1 through 246 of the Complaint, set forth above, as if fully set forth herein.
248. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 248, and therefore denies them.
249. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 249, and therefore denies them.
250. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 250, and therefore denies them.
251. Browning denies the allegations in Paragraph 251.
252. Browning denies the allegations in Paragraph 252.
253. Browning admits that, two nights before the appeal hearing, she stayed with a friend, and a video of her smoking a tobacco product was posted to her SnapChat account. Browning denies the remaining allegations in Paragraph 253.
254. Browning admits the allegations in Paragraph 254.
255. Browning admits the Appeal Board upheld the findings of the Conduct Review Committee. Browning states that she does not have knowledge or information sufficient to form

a belief as to the truth of the remaining allegations in Paragraph 255, and therefore denies them.

256. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 256, and therefore denies them.

257. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 257, and therefore denies them.

258. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 258, and therefore denies them.

259. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 259, and therefore denies them.

260. Browning states that she does not have knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 260, and therefore denies them.

Browning further denies that the alleged activities are “not consistent with a person having just experienced a sexual assault.”

261. Browning denies the allegations in Paragraph 261, and objects to Plaintiff’s attempt to present argument as fact.

262. Browning denies the allegations in Paragraph 262, and objects to Plaintiff’s attempt to present argument as fact.

263. Browning denies the allegations in Paragraph 263, and objects to Plaintiff’s attempt to present argument as fact.

COUNT I
DEFENDANT LIBERTY UNIVERSITY
Violation of Title IX of the Education Amendments of 1972

264. Count I of the Complaint is not asserted against Browning. Therefore, no response is required. To the extent a response is required, Browning denies the allegations in

Paragraphs 265 through 288.

COUNTS II, III, IV, V

289. By Court Order dated August 3, 2017, these claims, none of which were made against Browning, were dismissed with prejudice. No further response is required.

COUNTS VI & VII
DEFENDANT LIBERTY UNIVERSITY
Defamation by Implication & Defamation, *per se*

364. Counts VI and VII of the Complaint are not asserted against Browning. Therefore, no response is required. To the extent a response is required, Browning denies the allegations in Paragraphs 364 through 403.

COUNTS VIII, IX, X, XI and XII

404. By Court Order dated August 3, 2017, these claims, none of which were made against Browning, were dismissed with prejudice. No further response is required.

COUNTS XIII & XIV
DEFENDANT LEN STEVENS
Defamation by Implication & Defamation, *per se*

477. Counts XIII and XIV of the Complaint are not asserted against Browning. Therefore, no response is required. To the extent a response is required, Browning denies the allegations in Paragraphs 477 through 509.

COUNTS XV & XVI

510. By Court Order dated August 3, 2017, these claims, which were made against Browning, were dismissed with prejudice. No further response is required. To the extent any response is required, Browning denies the allegations in Paragraphs 510 through 522.

COUNT XVII
DEFENDANT SARAH BROWNING
Defamation

523. Browning restates and incorporates by reference her responses to the allegations contained in Paragraphs 1 through 522 of the Complaint, set forth above, as if fully set forth herein.

524. Browning admits the allegations in Paragraph 524.
525. Browning admits the allegations in Paragraph 525.
526. Browning denies the allegations in Paragraph 526.
527. Browning denies the allegations in Paragraph 527.
528. Browning denies the allegations in Paragraph 528.
529. The allegations in Paragraph 529 are legal conclusions that Browning is not required to admit or deny.
530. Browning denies the allegations in Paragraph 530.
531. Browning denies the allegations in Paragraph 531.
532. Browning denies the allegations in Paragraph 532.
533. Browning denies the allegations in Paragraph 533.
534. Browning denies the allegations in Paragraph 534.

COUNT XVIII
DEFENDANT SARAH BROWNING
Defamation, per se

535. Browning restates and incorporates by reference her responses to the allegations contained in Paragraphs 1 through 534 of the Complaint, set forth above, as if fully set forth herein.

536. Browning denies the allegations in Paragraph 536.

537. Browning denies the allegations in Paragraph 537.
538. Browning denies the allegations in Paragraph 538.
539. Browning denies the allegations in Paragraph 539.
540. Browning denies the allegations in Paragraph 540.
541. Browning denies the allegations in Paragraph 541.
542. Browning denies that Plaintiff is entitled to any of the relief requested in the Prayer for Relief, including all subparts, of the Complaint, or to any relief whatsoever.

543. Plaintiff further responds to each and every averment of each and every Paragraph of the Complaint, to the extent any answer is or may be required, by stating that any averment not admitted specifically is denied and with the following additional defenses.

Affirmative Defenses

1. Plaintiff has failed to state a claim as a matter of law and has otherwise failed to allege facts, in whole or in part, upon which relief may be granted.
2. The statements alleged under Counts XVII and XVIII are conditionally or qualifiedly privileged.
3. Plaintiff's claims for defamation against Browning are barred because any statement made by Browning of or referring to Plaintiff was true or substantially true, and because Plaintiff cannot show any incremental harm caused by any statement that was not true or substantially true.
4. Plaintiff's claims for defamation against Browning are barred because any injury to his reputation was caused by his own conduct and/or wrongful acts and he can show no incremental harm caused by any statement published by Browning.

5. Plaintiff's claims for defamation are barred because any alleged statement made by Browning of or referring to Plaintiff was privileged as a matter of federal and/or state law, and because it was made without malice, by an interested person to a person who is also interested, or because the communication was requested by an interested person.

6. Any and all conduct by Browning was in good faith and without malicious intent to cause injury to the Plaintiff.

7. Plaintiff has failed to allege facts that would constitute malice or a reckless disregard for the truth.

8. The claims asserted against Browning are repetitive and redundant.

9. To the extent that Plaintiff has been damaged in any way, which is expressly denied herein, Plaintiff's claims for damages are barred or reduced by his failure to mitigate his alleged damages.

10. Browning reserves the right to assert and/or rely upon any other affirmative or further defenses established through the course of discovery.

WHEREFORE, having answered Plaintiff's Complaint, Sarah Browning respectfully requests that the Court enter judgment in her favor, dismiss all claims against her with prejudice, and award her all costs and fees to which she may be entitled, and any other and further relief as the Court may deem just and proper..

Respectfully submitted, this 17th day of August 2017.

SARAH BROWNING

/s/ Stephanie P. Karn

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Counsel for Defendant Sarah Browning

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17TH day of August 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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/s/ Stephanie P. Karn
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